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The Parliamentary Elections in Kazakhstan

Almaty, Kazakhstan

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**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

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The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

THE MARCH 7, 1994 PARLIAMENTARY ELECTION IN KAZAKHSTAN
Almaty, Kazakhstan

This report is based on a Helsinki Commission staff delegation to Almaty, Kazakhstan, March 3 - 10, 1994. Commission Senior Advisor David Evans and staff member Michael Ochs met with Central Election Commission officials, representatives of political parties, candidates, ethnic minorities, local journalists, and other international observers, including the CSCE's Parliamentary Assembly.

The Helsinki Commission would like to express its appreciation to Ambassador William Courtney and the staff of the U.S. Embassy in Almaty for their assistance and cooperation. The Commission also appreciated the assistance and information provided by field representatives of the International Republican Institute, the National Democratic Institute for International Affairs, the International Foundation for Electoral Systems, and the CSCE Office for Democratic Institutions and Human Rights.

SUMMARY

- On March 7, 1994, voters in Kazakhstan cast ballots for a new parliament, as well as regional and local councils, in Kazakhstan's first elections since gaining independence. The officially reported turnout was 73.5 percent, easily eclipsing the 50 percent necessary for the election to be valid. Candidates supporting President Nursultan Nazarbaev won an overwhelming majority of the new parliament's 177 seats.
- For the first time ever, elections in Kazakhstan took place according to a majoritarian system. Registered political parties, of which there are only three, could nominate candidates, as could civic organizations. Independent candidates could also run if they gathered sufficient signatures. The election's most unusual feature was the so-called "president's list" (officially, the "state list") of 64 candidates, among whom voters could choose individuals to occupy 42 seats in parliament.
- Local observers were surprised by President Nazarbaev's decision last December to dissolve the legislature and schedule pre-term parliamentary elections, as the previous legislature had by all accounts been quite pliant and obedient. Nevertheless, it had resisted some of his initiatives, and Nazarbaev may have been inspired by President Boris Yeltsin's moves against Russia's legislature and local councils. Nazarbaev also wanted a more active, professional parliament with greater apparent legitimacy and broader ethnic representation than the one elected in 1990.
- The election took place in conditions of economic decline and growing inter-ethnic tension. Nazarbaev has been treading carefully between the demands of Kazakh nationalists and the grievances of Russians and their backers in Moscow. Far more Kazakhs than Russians were successful in registering as candidates, and the final election results confirmed the over-representation of Kazakhs, relative to their proportion of the population.
- The new parliament's legitimacy has been called into question. An observer delegation from the CSCE's Parliamentary Assembly concluded that the election did not meet international standards and could not be considered free and fair. The delegation based its assessment on many factors, including: the arbitrary exclusion of many independent candidates during the registration process; the state list of candidates, which allowed the president to influence the election of legislators; the brevity of the campaign; the pressures exerted on the local media; and rampant multiple voting on March 7. The Helsinki Commission staff delegation concurred with this evaluation.

• Kazakh officials have rejected this negative assessment as unfair and unrepresentative, while simultaneously arguing that Kazakhstan is unprepared for Western-style democracy. In any case, real power in Kazakhstan continues to rest with the president. The newly elected legislature is not expected to challenge his dominance, although some analysts think legislators with their own power base may not be as pliable as before.

• Various Russian legislators and political commentators accuse Kazakhstan of discrimination against Russians, and with the number of Russians in the new parliament not corresponding to their share of the population, questions about the fairness of the election could help Russia pressure Kazakhstan. Moscow might point to an election described by international observers as flawed, and to under-representation of Russians in parliament, as evidence that Kazakhstan cannot guarantee the rights of Russians, who therefore need dual citizenship or some "special status."

• Many Kazakhs see the United States as a crucial counterbalance to pressure from Russia, and from other potentially hostile neighbors, especially China. The negative assessment of the March 7 parliamentary election is unlikely to influence the U.S. attitude towards Kazakhstan. For strategic and economic reasons, Washington continues to see Kazakhstan as a critical country and President Nazarbaev as a stabilizing, moderating actor in a worsening inter-ethnic situation in Kazakhstan and in the country's relations with an increasingly aggressive Russia.

BACKGROUND

Kazakhstan last held parliamentary elections in 1990, when almost all the former Soviet republics elected new Supreme Soviets. The previous legislature's 360 deputies were mostly Communist Party functionaries who met infrequently. In 1991, Kazakhstan achieved independence and entered the international arena. Its abundant natural resources, especially oil, have attracted foreign businesses. The country's enormous size and location between Russia and China, and its inheritance of Soviet nuclear missiles, have drawn the attention of neighboring and Western governments seeking to prevent nuclear proliferation, to develop new resources and to fend off dangers in the changed geo-strategic environment.

In this context, it might seem perfectly logical for Kazakhstan, in March 1994, to hold its first elections to parliament and regional and local councils since becoming independent. Simply for the purposes of house-cleaning and electing representative organs with greater legitimacy, an election would have made sense. But new elections had already been slated for December 1994, and seasoned local observers professed bafflement to Helsinki Commission staff when asked why Kazakhstan's Supreme Soviet was unceremoniously closed down in December 1993 and pre-term elections scheduled for March.

A fully satisfactory explanation remains elusive, but the backdrop to Kazakhstan's parliamentary election seems to be related to events in Russia, as well as to developments in Kazakhstan itself. In October 1993, after President Boris Yeltsin won his bloody confrontation with Russia's legislature, he ordered the dissolution of many local and city soviets and "recommended" that regional soviets dissolve themselves. Since the summer of 1993, he had been campaigning against soviets in general, calling them "Bolshevik institutions" that had outlived their usefulness. In fact, many regional soviets had opposed Yeltsin's policies and his September 1993 decree abolishing Russia's Supreme Soviet, and Yeltsin wanted to assert control over them.

Shortly afterwards, local soviets in Kazakhstan began to "dissolve themselves." President Nazarbaev affirmed to an Interfax correspondent that he approved of the process. It appears, therefore, that Nazarbaev might have taken a lead from Yeltsin in moving against the entire heirarchical structure of councils, including the Supreme Soviet. As with Yeltsin, concerns about the recalcitrance of regional leaders may have motivated him. Nazarbaev in a 1993 publication voiced warnings about "local elites using the democratization of social life and the de facto independence of the regions [oblasts] as levers for monopolistic control of resources." As possible confirmation of this view, in March 1994, Nazarbaev ordered the repeal of an earlier Supreme Soviet decision to create free economic zones in nine of Kazakhstan's regions. A Kazakh official explained that the question of economic zones formed on the basis of oblasts "goes beyond a strictly economic scope, taking on a political nuance—the territorial integrity of Kazakhstan could be threatened." He added that the breakup of the USSR had begun with regional economic autonomy.

Most local analysts described the Supreme Soviet itself as quite pliable and obedient, so Nazarbaev's motives for seeking its dissolution are unclear. Still, various deputies, backed by Kazakh nationalist parties, in October 1993 protested his plans for an economic union treaty with Russia and remaining within the ruble zone. In November, the Supreme Soviet rejected a resolution giving Nazarbaev and the government powers to speed decisions on economic reforms. At that time, Nazarbaev proclaimed the need for strong executive authority and "a more professional parliament," while bemoaning the time lost in passing necessary legislation.

In this context, Nazarbaev apparently wanted to consolidate his power, and by December, he was ready to move. On December 10, the Supreme Soviet voted to cease its activities, and to give Nazarbaev and local administrators extraordinary powers in the interim. Pre-term elections to parliament and regional and local councils were scheduled for March 7, 1994.

Whatever its reasons for calling elections, the executive branch acted to ensure continued control of the legislature. Of the 177 seats in the new Supreme Kenges, the election law set aside 42 for candidates on the "state" or so-called president's list of 64 individuals nominated by the president. These 42 deputies also apparently were supposed to be the embryo of a future second chamber of parliament, which Nazarbaev made plain he desired. He maintained that deputies in this new upper house would represent Kazakhstan's regions (as in Russia), as well as the country's national minorities, who would otherwise not manage to elect anyone to defend their interests.

The Context of the Election. The election took place in difficult economic circumstances. Like other newly independent states, Kazakhstan has suffered a severe decline in production, hyper-inflation and a breakdown of links with other former republics. Many factories have been idled and many apartments, especially in the northern sections, have endured heating shortages during a bitterly cold winter.

In addition, Kazakhstan has also undergone the trauma associated with introducing a new currency. The tenge entered circulation in November 1993, after efforts to reach agreement on remaining in the ruble zone foundered. Nazarbaev refused to accept Moscow's onerous conditions, saying they would dilute Kazakhstan's economic sovereignty, and also complained about Moscow's dumping of old rubles in Kazakhstan.

Growing inter-ethnic tensions between Kazakhs and Russians and between Kazakhstan and Russia also colored the election. During the 1930s, Stalin's forced collectivization resulted in the death of about one-third of the mostly nomadic Kazakh population. In the 1950s, Nikita Khrushchev's Virgin Lands program brought many Russians to Kazakhstan, especially in the northern and eastern regions. So effective have been Moscow's denationalizing programs that many Kazakhs today do not know Kazakh. In 1986, Kazakhs rioted when Mikhail Gorbachev replaced Kazakh Communist Party boss Kunaev with a Russian. Since then, Kazakh nationalist parties have pressed for resurrecting Kazakh language and traditions, reversing the patterns of privilege for Russians and the Russian language, and for publicizing and redressing Kazakh grievances against Russia and Russians.

Kazakhstan's population today is about 17 million; of that number, Kazakhs constitute about 43 percent, Russians about 37 percent, with the remainder divided among other Slavs, mostly Ukrainians (seven percent), and smaller numbers of other groups, including Germans, Koreans, Tatars, Uzbeks and Uigurs.

Kazakhstan's politics are driven by its demography, and for months before the elections, evidence began to mount of intensified ethnic tensions. An American observer in Almaty told a Washington Post correspondent (February 14, 1994) that people were even beginning to talk of possible civil war. The U.S. State Department's 1993 human rights report on Kazakhstan noted increasing discrimination in favor of Kazakhs in employment, government and state-controlled enterprises, as well as education, housing and other areas. Kazakhs also increasingly predominated in government and state enterprises.

Non-Kazakhs have resented and protested these preferences for Kazakhs and discrimination against those who do not speak Kazakh. Kazakh is the state language, and Russian has been designated the language of inter-ethnic communication. While there is supposed to be a transition period for the majority of the population to learn Kazakh, the government has reportedly done little to provide Kazakh language training for adults. Many Slavs and Germans have emigrated in the last few years, as confrontations between Russians and Kazakhs in public places have become more frequent, but there have no reports of organized ethnic violence.

Inter-ethnic tensions within Kazakhstan have affected the country's relations with Russia. For some time, Russian policy towards the other former Soviet republics has been growing more aggressive, but the trend has especially intensified since Russia's December 1993 parliamentary election, which brought to power communists and ultra-nationalists, most notably Vladimir Zhirinovsky (who was born and raised in Kazakhstan). Friendship Treaties between Russia and the Central Asian states commit them to defend the human rights of Russians there. But Russia's Foreign Ministry has been pressing for the introduction of dual citizenship in all the former Soviet republics. So far, only Turkmenistan has agreed, while all the others are resisting what they see as an attempt to undermine their sovereignty.

Russian grievances and activism are especially strong in northern Kazakhstan, where some groups have called for incorporating those regions into Russia. To illustrate the state of affairs there, State Counselor Kairbek Suleimenov visited the Cossacks of Petropavlovsk and promised them that their association would be registered if they added to their charter the words: “The Association of Cossacks fosters the strengthening of Kazakhstan's borders and promotes their defense.” He also proposed that the Cossacks put Kazakhstan's state symbol into the Cossack symbol. The Cossacks refused his offer.

Inter-ethnic tension, and concern about the implications of such tension, informed every aspect of the March 7 election. Apart from general concerns, Russians pointed out that only 128 Russian candidates had been registered, compared to 566 Kazakhs. Many people assumed that most Kazakhs would vote for Kazakhs, Russians would vote for Russians, and voters generally would vote for individuals, rather than parties—if they voted at all. Conversations with people in Almaty confirmed the impression of widespread cynicism among the electorate, especially among the young.

Structure of Parliament. The new Supreme Kenges has 177 members, of whom 135 were elected from territorial constituencies. The remaining 42 seats—two deputies each from Kazakhstan's 19 oblasts and the cities of Almaty and Leninsk—were contested by 64 candidates on the "state," or "president's" list.

THE ELECTION LAW

The Central Election Commission (CEC) carried out the law's provisions and ran the election. Its members were elected by the Supreme Soviet at the suggestion of the President. The CEC created the 135 territorial districts, set the budget for candidates' expenses, and facilitated registered candidates' attempts to appeal to the electorate through the media and election posters. Candidates could not spend their own funds; the state bore all the election's expenses.

Registered parties could nominate candidates, as could registered civic organizations. To be registered, an organization must submit a list of 3000 members from at least 12 of the country's 19 oblasts, including personal information about members. (Various parties refused to register, protesting the requirement to supply such information.) All candidates, including independents, needed 3,000 signatures to run, and had to give five times their monthly wage to the local election commission; those who received five percent of the vote in their constituency got their money back.

The law gave each candidate 10 minutes of airtime on radio and television, and 100 lines of newspaper space. Self-nominated candidates got an additional five minutes on regional and city television or radio. Candidates could not promote the ideas of "racial, national religious, social, including class or group (estate), exceptionality or hostility." They could not call for the violent change of the existing constitutional system, violation of the territorial integrity of the Republic of Kazakhstan, or of human rights and freedoms.

Citizens of Kazakhstan who were at least 18 years old could vote. The law stipulated that individuals could only vote themselves, not on behalf of family members (as was generally done in the USSR). For the election to be valid, 50 percent of the electorate had to participate, and 50 percent of voters in each constituency had to turn out.

POLITICAL PARTIES

Political parties are weakly developed in Kazakhstan, and the authorities have registered only three: the Union of National Unity of Kazakhstan (SNEK), the People's Congress, and the Socialists.

SNEK was formed in January 1993, and is the party most closely associated with Nazarbaev. Most of its members are former Communist Party functionaries. SNEK's program advocated moderate privatization, attracting foreign investment, and maintaining good relations with Russia while opposing dual citizenship or making Russian a state language.

The Socialist Party (the renamed Communist Party) claims the largest membership of any party, with at least 30,000 members, and retains many resources and long-established networks. The party calls for slower privatization, greater protection for pensioners and others hit hard by market reforms, and keeping industries open through subsidies, if necessary. A spokesman of the Socialists, asked by an international observer at a press conference about the appropriateness of a presidential list of candidates, said he had no complaints: "I don't think we're ready for real democracy."

The People's Congress Party is headed by Olzhas Suleimenov, the poet who led the Nevada--Semi-Palatinsk anti-nuclear movement. Suleimenov told international observers that his party backs inter-ethnic harmony and sees Russia and Kazakhstan as the core of a future confederation with a common economic space throughout the former USSR. The party opposes shock therapy and favors a bi-cameral parliament. One People's Congress candidate told Commission staff that the party was trying to distance itself from SNEK, "which the people see as a nomenklatura party."

Civic Organizations. Civic organizations, though not formally political parties, could, if registered with the Ministry of Justice, also nominate candidates. They ran the gamut from the Union of Architects to veterans' societies. Given the ethnic factor in Kazakhstan's politics and in the March election, it is worth outlining the views of some nationalist-oriented organizations, whether registered or not.

Various openly nationalist Kazakh organizations have been active in politics since 1989-90, but have not been registered. Azat is a mostly Kazakh organization which arose in 1990 to defend Kazakh national consciousness, language and traditions, and today advocates "decolonization" of Kazakhstan. Zheltoksan ["December," to commemorate the riots of December 1986] places somewhat more emphasis on redressing imbalances in the living standards between the mostly rural Kazakhs and largely urban Russians. Azat and Zheltoksan merged in October 1992.

Alash is a more radical nationalist organization, which has been accused of Islamic extremism. Alash could not nominate candidates, but its deputy chairman ran as an independent. His newspaper advertisement accused Nazarbaev and his government of incompetence, and described Nazarbaev's closest circles as a "bureaucratic-criminal mafia." He proposed, instead of dual citizenship, introducing the category of permanent residents, who would differ from citizens only in their inability to vote and be elected. He also advocated distributing land free of charge to Kazakhs, based on the number of family members, while guaranteeing non-Kazakhs the right to lease land for life. Finally, he urged an independent course between Moscow and Washington.

Many Kazakh nationalist groups have joined together in the National Democratic Party. The NDP was not registered in time for the March election and could not nominate candidates.

Among Russian organizations, LAD, which is registered, is the most politically active and was the most engaged in the election. Its stated goal is to preserve the ethnic identity, culture, and languages of the Slavs and promote their spiritual rebirth in Kazakhstan. LAD calls for the creation of a Slavic university, the

equal rights of all to a share of national property, and to participate in the administration of the state. The two priority issues for LAD, however, are making Russian a state language and legalizing dual citizenship. (At present, only those Kazakhs who fled Stalin's horrors and return to their homeland can have dual citizenship if the other country permits.) LAD appealed for a delay in the implementation of a law requiring people to accept citizenship of Kazakhstan; on December 23, 1993, Nazarbaev issued a decree extending the deadline until March 1995. During a March 3 campaign address on television, a LAD representative made many of these points, urged voters to come to the polls, and also advised them "not to rely on overseas uncles"—a clear reference to the United States. Another organization worth mentioning, considering the subsequent election results, is the Federation of Kazakh Trade Unions. Closely allied to the government—which has harassed independent trade unions—the Federation's program naturally focused on economic goals. These included moderating economic change to take account of those hurt by market reforms, bringing wages into line with prices, paying wages on time, and raising subsidies to low-income groups.

INTERNATIONAL OBSERVERS

The CEC invited foreign election monitors, and over 100 observers reportedly arrived. Apart from western countries, observers came from various other former Soviet republics, including a large delegation from Kyrgyzstan, which is preparing for its own parliamentary election. The observer delegation that wound up having the greatest impact on the election was the one fielded by the CSCE Parliamentary Assembly, which included parliamentarians from eight countries.

THE CAMPAIGN

Nomination of candidates took place between December 27 and January 25, with registration following from January 26 through February 8. There were, in all, 754 registered candidates for the parliament's 177 seats. The schedule left candidates less than one month, from February 9 through March 5, for active campaigning.

Candidates received their allotted 10 minutes of free airtime on television and radio; candidates could decide themselves whether to use the time all at once or divide it into several appearances. The CEC made up and distributed 1000 posters for each candidate (Commission staff saw them plastered around Almaty). By design, they were virtually identical in format.

Candidates, whether independents, nominated by civic organizations, political parties or the "state" list, published their 100 lines in newspapers. With so little space, their programs were extremely general, calling, for example, for economic reform without harming the interests of the needy, pensioners and children. Notably, practically all stressed the need to maintain inter-ethnic harmony. One candidate, for instance, urged voters to "guard as the apple of our eye our inter-ethnic accord, mutual understanding and tolerance."

Several candidates told Commission staff they had not organized meetings with voters. They explained that voters were passive and cynical anyway, and besides, many factories were closed so it would have been difficult to arrange meetings with large groups of workers. Finally, the lack of fuel made it difficult to travel, and, in fact, to gather the required 3,000 signatures for independent candidates.

Other candidates raised another problem they had encountered: the law required them to pay five months' wages to local election commissions. But they had only received two months' wages since the introduction of Kazakstan's new currency, which obligated them to borrow money to enter the race.

COMPLAINTS

All the representatives of political parties and civic organizations, as well as independent candidates, who spoke to Helsinki Commission staff complained about the brevity of the campaign period, and about the advantages of the government-supported candidates. Many independents also complained about the unfair, arbitrary and capricious treatment they had received from the heads of regional and local election commissions, which, they said, often refused to register them for unjustified reasons. Once disqualified, there was often too little time to appeal.

The complaints ran the gamut from outright fraud to structural problems to impossible timing dilemmas. For instance, one candidate told Commission staff that friendly officials in a local election commission had confided that they were under orders to ensure the victory of ten candidates supported by the mayor of Almaty. Many candidates reported that local election commissions were autonomous and impervious to the influence or remonstrations of the CEC, which could only make recommendations. Nor could courts always overrule local election commissions which disqualified candidates, even when the court found the candidate's complaints justified. Others complained about the unavailability of necessary documents: candidates could start gathering signatures December 27, but they did not receive official signature forms until January 15, so they were delayed in beginning their campaigns.

During the campaign, the authorities closed for a while an independent television station that broadcast stories critical of Almaty's mayor and the elections. The station's owner himself was unsuccessful in his bid to register as a candidate.

One angry candidate nominated by LAD issued a press release complaining that Vechernii Almaty had deleted from her 100 lines important points about fighting the bureaucracy, making Russian a state language, creating a Slavic university, and the desirability of dual citizenship. A subsequent press release by this candidate protested a statement by another candidate's authorized representative (a local bureaucrat) that, when gathering signatures, she had not bothered to talk to Kazakh voters. LAD also wrote to the CEC chairman complaining that in Kokshetau, the chairman of a district election commission said that candidates advocating dual citizenship would not be registered, and in Petropavlovsk, local authorities had closed down the headquarters of LAD.

Finally, many candidates charged that the executive branch was completely in charge of the election, since all levels of soviets, from local to Supreme, had been dissolved. The general tenor of this complaint, and most others, was that the elections were carefully structured and timed to yield the desired outcome.

In sum, 218 candidates were disqualified during the registration process. Of them, 15 appealed to the courts and seven won their cases to be reinstated.

THE VOTING

On voting day, Commission staff visited polling stations in and around Almaty. Concerned about turnout, the authorities tried to attract voters to the polls with music and by selling food, drinks and jewelry. Still, Commission staff and all other observers noted the relative absence of young people at the polling stations.

Polling stations were open from 7 a.m. to 8 p.m. Voters presented their passports, signed the rolls, and in Almaty, received four ballots: two for the parliament (one on the state list, the other on the territorial list), one for the regional council and another for the city council. They took their ballots into curtained booths—or did not, as they wished—and then deposited the ballots into a box. As is common throughout the former USSR, family members tended to enter the booth together and people stood in small groups discussing how to vote.

Commission staff encountered no difficulties in entering polling stations but some observers did, especially members of a delegation from Kyrgyzstan. In general, some polling stations conscientiously administered the vote and count, but many did not. Based on what Commission staff saw, and on accounts from other monitors, the chairman of the polling station set the tone: some followed the rules, others appeared not to be familiar with them, and others seemed determined to flout them. The most common violation was multiple voting, but Kyrgyz observers reported many other violations. These included polling station officials telling voters how to vote and discrepancies in totals when votes were counted. There were also cases when, during counting, more ballots turned up in the urns carried to apartments of the disabled than there were disabled voters on the lists. One incident typified the March 7 balloting. A local observer in a polling station, though initially reluctant to report on violations, eventually relented and said she had seen many instances of multiple voting. Commission staff then asked when she would have the time to vote. "Oh," she said, waving her hand to allay any possible concern, "someone will vote for me."

THE CSCE PARLIAMENTARY ASSEMBLY DELEGATION'S STATEMENT

The CSCE Parliamentary Assembly observer delegation, at a press conference held in Almaty on March 8, read a statement that commended the government of Kazakhstan for holding elections in which opposition groups had campaigned, and for inviting international observers. Nevertheless, the delegation concluded that the election had not met international standards and could not be considered free and fair. Among the 10 reasons cited were: the brevity of the campaign; the arbitrary disqualification of candidates during the registration process; the state list, which allowed the government to appoint about 20 percent of the parliament: rampant multiple voting; the advantages enjoyed by government candidates during the campaign; the many closed polling stations, especially on military bases, where observers were not permitted; and the difficulties faced by the media, which could not publish or broadcast because of denial of paper or airtime on television, and in some places suffered harassment.

The local press reported similar violations. Kazakhstanskaya Pravda on March 10 noted that "the violations are so varied that just listing them could create the impression of chaos." They included the most commonly cited problem, namely, multiple voting, but added others, such as polling station officials giving voters incorrect information about filling out the ballots, ballots being available only in Russian or Kazakh, not counting and canceling unused ballots, the surprise appearance in some precincts of ballot boxes crammed full of unregistered ballots, and the likely abuses during the voting before March 7 by students leaving for the holidays. Sovety Kazakhstana on March 10 also reported on the charges made by the

CSCE Parliamentary Assembly observer delegation, and television viewers in Kazakhstan could see broadcasts of Russian news programs detailing abuses and the assessment of the Parliamentary Assembly delegation.

After the election, angry candidates inspired by the publicity surrounding the statement sent the CEC appeals demanding recounts, an investigation of alleged abuses, and the annulment of the results in districts where violations had occurred. One appeal given to Helsinki Commission staff included affidavits from various monitors alleging various charges, most often that polling stations officials allowed voters to cast ballots for others.

At the press conference where the statement by the CSCE Parliamentary Assembly was read, the editor of a local newspaper asked whether these "mind-boggling revelations" would lead Nazarbaev to annul the elections. But Kazakhstan's government spokesmen denounced the allegations. They stoutly defended the conduct of the election and angrily claimed that the appraisal was based on very limited observation and reflected unrepresentative polling stations. Foreign Minister Suleymenov charged that "The international observers turned these elections into a tragedy." CEC Chairman Karatay Turisov, on the other hand, issued a detailed rejection of the observers' charges, while at the same time explaining why a Western-style election could not be held in Kazakhstan: "It is impossible to change the psychology of people in a two-month campaign after 70 years of communism."

Nazarbaev himself took a similar tack when angrily rejecting the charges in a television address on March 10. He declared the election democratic, since deputies were elected from all groups of the population. But he then qualified "democratic" by noting that the election mirrored democracy in Kazakhstan today: "we have not yet come up to European standards, we are on our way to reaching them." He also charged that only some members of the CSCE Parliamentary Assembly observer delegation held the views reflected in their statement, while others felt much more positive about the democratic and fair conduct of the election.

RESULTS

The CEC on March 17 issued the final results: the election had been valid, i.e., there was over 50 percent turnout, in all 135 electoral districts, and in all regions where candidates ran on the state list. In all, 176 deputies were elected; not counting the 42 on the state list, 75 were nominated by public associations, and 59 were self-nominated.

As expected, SNEK came away the big winner, with 33 seats; the Federation of Trade Unions was next, with 11, followed by the People's Congress (9), and the Socialist Party (8). The Peasant Union and LAD won 4 apiece, and various other organizations got one seat. Forty deputies in the previous Supreme Soviet will be in the new parliament.

Divided by nationality, 105 deputies were Kazakhs, while 49 were Russians. There were also 10 Ukrainians, three Germans, three Jews, and one Uzbek, Tatar, Ingush, Korean, Pole and Uigur apiece. Proportionally, 28 percent of deputies are Russian, whereas Russians constitute about 37 percent of the population. Kazakhs, with some 43 percent of the population, have 60 percent of the seats.

POLITICAL IMPLICATIONS OF THE MARCH 7 ELECTION

Democratization The high reported turnout of nearly 75 percent easily eclipsed the 50 percent needed to validate the election. But if the estimate by the CSCE Parliamentary Assembly observer delegation was accurate—that about 35-50 percent of ballots were cast by people engaging in multiple voting—actual turnout may not have reached the necessary minimum. Several candidates also pointed out a fine irony: signing for other voters, which was rampant during the balloting, was precisely the alleged violation local election commissions cited most often when disqualifying candidates during the registration process.

In general, the conduct of Kazakhstan's parliamentary election broadly corresponded to the country's overall level of democratization. Kazakhstan is far more open than Uzbekistan (which has physically terrorized the opposition out of the political arena), Turkmenistan (which never allowed the opposition to develop to a level where its suppression might be necessary), or Tajikistan (where a bloody civil war has forced the opposition into exile or hiding). But Kazakhstan is no democracy. Rather, to quote Nazarbaev, who apparently believes his country needs a period of at least five years of presidential rule, it is an "authoritarian democracy." In practice, this means the authorities allow opposition groups to function, to pursue their political activity and release publications, even if on an irregular basis. But opposition groups may not occupy positions of influence, not to speak of contesting the authorities' hold on power.

The chagrin caused by the assessment of the CSCE Parliamentary Assembly observer delegation might lead Kazakhstan's officials to reconsider inviting foreign, and especially CSCE, observers to future elections, though the CEC chairman offered assurances to the contrary. Presumably, however, arrangements will be made to minimize, if not avoid, any similar embarrassment. The next scheduled election is in 1995, when Nazarbaev will run again for president. Last time, he ran unopposed; a would-be opposition candidate claimed the authorities prevented him from running by stealing the signatures he had gathered to get on the ballot.

PARLIAMENT

The March 7 election and its results are unlikely to undermine the president's position, and there is little reason to believe the new parliament will have any more real power than the previous Supreme Soviet. Still, the law of unintended consequences may come into play; several people commented to Commission staff that the new parliament would not be as compliant as the old one, especially with deputies now enjoying a power base and a 5-year term. Regional representatives might also be thinking more of local interests and consolidating links with constituents than with expressing gratitude to Nazarbaev and implementing a top-down strategy.

Officials touted the election as Kazakhstan's first multi-party election, but only three carefully vetted parties were involved. Kazakhstan's parties are young, small and lack a network or a grass-roots base. Their members, or adherents, for the most part won their seats more because of their personalities than because of their affiliation with a party, and it remains to be seen how much they will vote according to their platforms, which were quite general. Because parties played such a small role in the election, it did little to foster their development, except to the extent that they were forced to hone their programs. If the executive branch allows the parliament to behave like other legislatures, genuine factions may emerge and promote the development of real parties.

Most observers expect the parliament to concentrate on the economy, including foreign investment. Judging by Nazarbaev's pre-election address and the newspaper advertisements of many candidates, another focus will be crime. Nazarbaev called for the death penalty for murderers, rapists and leaders of organized crime bands.

Parliament will probably also amend the constitution so as to give Nazarbaev what he requested: the right to dissolve parliament in return for creating a mechanism to impeach the president (a highly unlikely scenario), and the creation of an upper chamber. The proclaimed motive is to ensure more effective representation for Kazakhstan's regions, but it would also allow the executive branch, if necessary, to play off one chamber against another. In fact, though Nazarbaev affirmed the fairness of the election and the legitimacy of the newly elected parliament, the assessment of the CSCE Parliamentary Assembly observer delegation could come in handy if he ever has to move against the legislature.

The over-representation of Kazakhs may mollify Kazakh nationalists, which Nazarbaev evidently intended. On the other hand, the Russians and other Slavs will also have representation; in fact, they will have more than before, as the previous Supreme Soviet had 360 deputies, of whom only 80 were non-Kazakh (22 percent). But ethnic tensions are unlikely to be assuaged by a mere increase in representation; Russians in Kazakhstan are hoping for some legislative reassurance.

ETHNIC RELATIONS

In a pre-election address to the country, Nazarbaev called for punishing any attempts to sow inter-ethnic discord, preventing the creation of chauvinist political organizations and stopping any manifestations of separatism. While not glossing over Kazakh grievances, he laid the blame on tsarism and Bolshevism, not the Russian people. Nazarbaev also reminded Kazakhs of Russia's contributions to saving Kazakhs from disappearing, as well as to their modernization and education.

No Russians who spoke to Commission staff believed it possible that their parliamentary representation would correspond to their share of the population. On the other hand, various Russian political activists considered it a foregone conclusion that Nazarbaev would agree to make Russian the country's second state language—if only to stanch the flow of emigration of Russians, Germans and other "Russian-speakers" who possess badly needed technical skills. That would alleviate some of the tension fueling national confrontation. Considering that many Kazakhs themselves know Kazakh badly or not at all, there might be broad popular support for this concession on the language front.

So far, however, there is little indication that Nazarbaev will yield to the demand of Russian organizations like LAD for dual citizenship. As he put it, if the Russians "had two passports in their pockets, they would have one foot in Russia and the other here. That would destabilize the situation in Kazakhstan....Nobody can concern themselves about the Russians better than us, and we want no assistance from Russia." Nazarbaev did not openly take the argument to its logical conclusion: Moscow has been pressuring its neighbors thus far by using the purported defense of Russian speakers—a mere linguistic criterion; the possibilities of leverage would multiply dramatically if such people became Russian citizens—a legal category—which might justify intervention.

On the other hand, Rossiskaya Gazeta on March 31 quoted Nazarbaev as saying during his visit to Moscow, "if there was the certainty that dual citizenship would make it possible to resolve the [nationality] problem, we would introduce it. But in this case, the problem would still remain at the daily routine level." That statement seems to retreat from earlier, more categorical rejections of dual citizenship, and might signal a changed attitude after his summit with Boris Yeltsin.

In the meantime, Nazarbaev and Yeltsin signed a package of agreements in late March, which included a palliative measure. Acknowledging the special relations between Russia and Kazakhstan, the two presidents consented to leave their borders open, with entry requiring no visa regime. Moreover, the accords allow people who move from one country to the other to acquire citizenship in their country of choice without difficulties, and they should be able to sell their houses and take their property with them. The certainty of acquiring Russian citizenship in case of need or desire might slow Russian emigration from Kazakhstan.

Nazarbaev has also sought to address inter-ethnic problems on a non-governmental level. He has called for the establishment of an Assembly of Peoples of Kazakhstan, which would apparently serve as a discussion forum and a consultative body to issue recommendations on inter-ethnic questions. The creation of such a body seems likely.

SEPARATISM

Russian Community, an organization that defends Russians' rights, has branches in Almaty and in northern cities. According to journalists in Almaty, the activists of Russian Community in the north are much more radical and are pursuing, even if not blatantly, the transfer of the northern and eastern districts to Russia.

Agreeing to such initiatives would be risky for Moscow, placing in doubt many other borders, including some within Russia itself. It would also raise concerns in the West about Russia's commitment to the territorial integrity of its neighbors. But even if Moscow draws back from such ventures, the threat always hangs over Kazakhstan as a means of extracting political and economic concessions.

One local analyst told Commission staff that Kazakhstan's borders would certainly contract in the coming years, because of pressure from Russia and other neighbors. A huge country, Kazakhstan is lightly populated, compared to China, which, as a candidate put it, needs "lebensraum." In fact, the capital city is supposed to move from Almaty by century's end to Akmola, which is more central, enjoys better ecological circumstances—and is farther away from the Chinese border. Turkmenistan and Uzbekistan also have their eyes on various regions of Kazakhstan that adjoin their countries.

RUSSO-KAZAKHSTANI RELATIONS

In the atmosphere of heightened Russian nationalism and corresponding pressure on Russia's neighbors, Kazakhstan has trod carefully between the demands of Kazakh nationalists and defenders of Russian rights. Nazarbaev has consistently argued that radicalism on either side would be ruinous and that Kazakhstan must be an ethnically tolerant, multi-national state. He has also urged closer CIS coordination and tighter links with Russia, seeing Russia and Kazakhstan as the core of a future union of sorts.

But Nazarbaev has reacted angrily to intensified Russian attempts to claim a role as defenders of Russians throughout the former USSR. He has even gone so far as to liken this assertion to Nazi Germany's policy in the 1930s: "Whenever one starts talking about the protection of Russians in Kazakhstan...I recall Hitler who began to 'support' the Sudeten Germans at one time."

Apart from pressuring Nazarbaev about ethnic matters, Russia also has economic goals: Moscow is pressuring Almaty for a stake in energy deals, especially the Tengiz oil field being developed by Chevron and the Karachaganak gas project under negotiation by British Gas and Agip of Italy. The two governments have also disagreed sharply about pipelines: Russia controls the existing pipelines, and has reportedly been "dissuading" Kazakhstan from building an alternative pipeline by halting payments for coal mined in Karaganda, reducing the delivery of fuel supplies and restricting Kazakhstan's access to Russian pipelines. One U.S. oil executive described the situation as Russia "holding Kazakhstan hostage."

During his February 1994 summit in Washington, Nazarbaev agreed with President Clinton that the pipeline through Russia, rather than one proposed through Iran, was a priority. But he also voiced concerns about Russian intentions and defended further study of alternative routes. The Financial Times reported (March 23) that Nazarbaev on March 22, less than a week before his scheduled visit to Moscow for a meeting with Boris Yeltsin, stressed his intention to build another pipeline through Turkey, after a Russian-Kazakh project to build a pipeline from the Caspian Sea to a Russian port on the Black Sea. He also said Russia would not receive equity stakes in the projects mentioned above.

The assessment of the March 7 election by foreign observers, especially the CSCE Parliamentary Assembly observer delegation, could play a role in this delicate game. Undoubtedly an embarrassment for Kazakhstan, the assessment was welcomed by other interested parties: the head of the Russian observer delegation said "We are thankful to our CSCE colleagues for such a sharp criticism, which would have been more difficult for us. It is easy to accuse Russian deputies of being biased..." With other Russian observers and political commentators accusing Kazakhstan of tolerating or even promoting discrimination against Russians, Moscow could use the statement of the CSCE Parliamentary Assembly delegation to pressure Kazakhstan. It would not be surprising if Moscow pointed to a election described by international observers as flawed, and to under-representation of Russians in parliament, as evidence that Kazakhstan cannot guarantee the rights of Russians, who therefore need dual citizenship or some "special status."

In late March, Nazarbaev's summit meeting with Boris Yeltsin in Moscow produced a number of agreements and seemed to smooth ruffled feathers. Nazarbaev repeated his general refrain that Russia and Kazakhstan are inextricably linked, but the tone of his statements about Russia was noticeably milder and friendlier than earlier pronouncements.

Moscow may also moderate its own campaign for dual citizenship by floating demands for some sort of "special status" for Russians in neighboring states. At a December 1993 meeting of CIS leaders in Ashgabat, Turkmenistan, Boris Yeltsin's request that Russians receive such status was voted down by his counterparts. But if Russian pressure intensifies, they may be willing to consider it a lesser evil than dual citizenship.

One issue that aggravated relations between the two countries was resolved in March: Kazakhstan and Russia finished long-standing negotiations over how much Russia will pay Kazakhstan to lease the Baikonur cosmodrome. They agreed on a sum of $115 million annually for 20 years, with an option to renew for 10 more.

ECONOMY

A major priority for the Supreme Kenges will be the economy. Based on Nazarbaev's guidelines, the parliament will try to speed up market reforms while not harming their victims, and deal with economic decline, hyperinflation and a budget deficit reaching 10 percent of GDP.

Kazakhstan is largely a producer of raw materials, especially in the energy sector and agriculture, and there is little sign that Nazarbaev intends to relinquish state control of energy. In 1993, Kazakhstan accelerated economic reform, launching the privatization of small retail outlets. Nazarbaev told a CNN interviewer in February 1994 that over 8,500 state entities had been privatized and the private sector produces 20 percent of industrial output. He added that 1994 will witness the second stage of privatization.

As in Russia, all residents of Kazakhstan received privatization vouchers, which can be invested. But most Russians live in the more industrial north, while the agricultural south is mostly Kazakh. Consequently, what parts of the economy are privatized and what remains in state hands therefore becomes very much an ethnic issue in Kazakhstan. In any case, Nazarbaev said in late March 1994 that Kazakhstan would not copy Russian-style economic reform. Privatization from below has "led to chaos" in Russia, he concluded, so Kazakhstan will create state holding companies. Nor will land be privatized; instead, it will be leased for 99 years with the right of inheritance.

IMPLICATIONS FOR THE UNITED STATES

U.S. interests in Kazakhstan are strategic and economic: preventing the accidental use, theft or sale of nuclear weapons (and related substances) located in Kazakhstan through Almaty's adherence to the Non-Proliferation Treaty and ceding its nuclear missiles to Russia; maintaining stability in a region in flux, bordered by China and Iran; and developing trade relations, with an emphasis on Kazakhstan's rich oil and mineral resources.

To these ends, the Bush and Clinton administrations have consistently focused on Kazakhstan and seen its president as an important regional player, working to develop a democratic, pluralist system and therefore worthy of American support. During the Washington summit in February 1994, President Clinton said that Kazakhstan was "critical" for democracy in Central Asia. He and Nazarbaev signed a Charter on Democratic Partnership that recognized Kazakhstan's commitment to democratization, rule of law, respect for human rights and economic reforms.

Washington is relying on Nazarbaev's promise to give up 104 SS-18 ballistic missiles; only 12 have been shipped to Russia, whereas all the tactical weapons have been delivered. The United States has provided money for the safe dismantling of the missiles and the destruction of their silos, and in February 1994, promised more funding for denuclearization.

Both Kazakhstan and the United States are interested in developing economic relations independent of neighboring countries, especially Russia. Washington would like to see Kazakhstan remain ethnically stable, so as to maintain peace inside the country and remove temptations to intervention from outside. U.S. businesses, especially oil companies, have become heavily involved in Kazakhstan, and also are counting on political stability (and reliable legislation on foreign investment). President Clinton in February offered increased economic aid and help with Kazakhstan's environmental disasters.

Almaty, for its part, looks to Washington to allay its own security concerns: Kazakhstan is supposed to give its nuclear weapons to Russia, the country it sees as a danger to its security and sovereignty, and also feels threatened by nuclear-armed China. Kazakhstan essentially hopes the United States will counterbalance pressure from these giant neighbors, especially Russia. In fact, it was striking how many Kazakhs told Commission staff the country was depending on the United States to play that role. Accordingly, Nazarbaev has been seeking security guarantees in return for giving up Kazakhstan's nuclear weapons. He signed in February 1994 a memorandum on U.S.-Kazakh defense cooperation, including talks on defense doctrine, training and budgets.

But Washington has been reluctant to offer security guarantees. Visiting Kazakhstan about 10 days after the election, U.S. Defense Secretary William Perry cautioned that the United States would "not go to war for them." But he did discuss an initiative to draw Russia into a regional security pact with Kazakhstan which Washington and perhaps London would join. Signatories to the pact would agree not to use force, and to resolve any problems or disputes through peaceful means.

Neither the March 7 election nor the negative assessment of foreign observers is likely to affect the basics of U.S policy. During a December 1993 visit to Almaty, Vice-President Gore said that U.S. aid is focused on countries "in which the reform process is making the most progress." Kazakhstan has now held an election, which, if it failed to meet international standards, nevertheless is probably seen as an attempt to introduce democratic methods—however haltingly, cautiously and calculatedly—while according representation to the country's national minorities.